

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

SHAFI FAISAL,

Plaintiff,

v.

RAHWAY POLICE DEPT.,

Defendants.

Civ. No. 2:13-376 (KM)

MEMORANDUM AND ORDER

MCNULTY, District Judge

THIS MATTER comes before the Court upon the filing of a Complaint by a *pro se* plaintiff. Plaintiff, currently confined at the Brooklyn Detention Center in Brooklyn, New York, initially sought to bring this civil action *in forma pauperis*,¹ without prepayment of fees or security, asserting claims pursuant to 42 U.S.C. § 1983.

On February 1, 2013, the Court issued an order (the “Order”) denying Plaintiff’s application to proceed *in forma pauperis* for failure to comply with the requirements of The Prison Litigation Reform Act of 1995, Pub. L. No. 104-134, 110 Stat. 1321 (April 26, 1996). (ECF No. 2.) The Order directed the Clerk of the Court to administratively terminate this case and notified Plaintiff that if he wished to reopen this case he had to notify the Court in writing within 30 days of the date of entry of the Order. The Order instructed Plaintiff that his writing was to include either (1) a complete, signed *in forma pauperis* application,

¹ Suits brought *in forma pauperis* are governed by 28 U.S.C. § 1915.


including a certified six-month prison account statement, or (2) the \$350 filing fee.

Plaintiff paid the \$350 filing fee on April 4, 2013. (ECF No. 3.) Although Plaintiff did not pay the filing fee within the time allotted by this Court, I find that dismissal would be an unjustified sanction.

THEREFORE, it is on this 5th day of April 2013;

ORDERED that the Clerk of the Court shall reopen this case; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order upon Plaintiff by regular U.S. mail.



HON. KEVIN MCNULTY
United States District Judge